

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESAL PRICE
LITIGATION

MDL No. 1456
Master File No. 01-12257 PBS

THIS DOCUMENT RELATES TO:

Judge Patti B. Saris

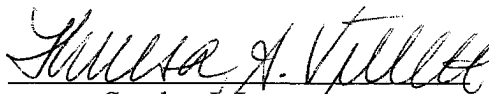
County of Orange v. Abbott Labs., et al.,
1:07-cv-10879-PBS

**NOTICE OF VOLUNTARY DISMISSAL OF OTSUKA AMERICA
PHARMACEUTICALS, INC.**

Pursuant to Fed. R. Civ. Proc. 41(a)(1)(A)(i), Plaintiff County of Orange hereby dismisses without prejudice all claims against Defendant Otsuka America Pharmaceuticals, Inc. Otsuka America Pharmaceuticals, Inc. has not served an answer or motion for summary judgment in the above-captioned matter; therefore, Plaintiff's claims will be dismissed without order of this Court, upon filing of this notice of dismissal.

Respectfully submitted,

Dated this 28th day of May, 2008.



Stanley J. Levy
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ATTORNEYS FOR PLAINTIFF
COUNTY OF ORANGE

CERTIFICATE OF SERVICE

I hereby certify that I have on this 28th day of May, 2008, caused a true and correct copy of the foregoing **NOTICE OF VOLUNTARY DISMISSAL OF OTSUKA AMERICA, INC.** to be served on all counsel of record via electronic service pursuant to Paragraph 11 of Case Management Order No. 2, by sending a copy to LexisNexis File & Serve for posting and notification to all parties.

The foregoing **NOTICE OF VOLUNTARY DISMISSAL OF OTSUKA AMERICA, INC.** was also served via First Class Mail on:

Timothy Broas, Esq.
Winston & Strawn, LLP
1700 K St., N.W.
Washington, D.C. 20006


Theresa A. Vitello